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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 NEVA THERESE O'NEILL,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Deputy
14 Commissioner of Social Security for
Operations,

15 Defendant.

CASE NO. 3:17-cv-5753 JRC

ORDER ON STIPULATED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES AND
EXPENSES

16 This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local
17 Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge
18 and Consent Form, Dkt. 1; Consent to Proceed Before a United States Magistrate Judge, Dkt. 3).
19 This matter is before the Court on plaintiff's Stipulated Motion for Equal Access to Justice Act
20 Fees and Expenses (*see* Dkt. 13).

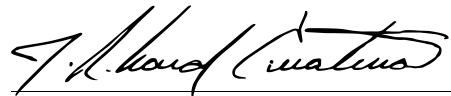
21 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), the Stipulation of
22 the parties (*see* Dkt. 13), the attorney declaration and time and expense itemizations (Dkt. 16),
23 and the relevant record, it is hereby ORDERED that EAJA attorney's fees of \$5,342.47 and
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1 expenses in the amount of \$5.76, shall be awarded to plaintiff pursuant to the EAJA and
2 consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at ***6-***7
3 (2010).

4 It is further ORDERED that costs in the amount of \$416.00 shall be awarded to plaintiff
5 pursuant to 28 U.S.C. § 1920.

6 The Acting Commissioner shall contact the Department of Treasury after the Order for
7 EAJA fees and expenses is entered to determine if the EAJA fees and expenses are subject to any
8 offset. If it is determined that plaintiff's EAJA fees are not subject to any offset allowed
9 pursuant to the Department of the Treasury's Offset Program, then the check for EAJA fees shall
10 be made payable to Teal M. Parham, based on plaintiff's assignment of these amounts to
11 plaintiff's attorney (*see* Plaintiff's Declaration Regarding Net Worth and Payment of EAJA Fees,
12 Dkt. 15, 17). If there is an offset, the remainder shall be made payable to plaintiff, based on the
13 practice of the Department of the Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any
14 check for EAJA fees shall be mailed to plaintiff's counsel, Teal M. Parham, at 910 12th Avenue,
15 Longview, WA 98632.

16 Dated this 26th day of September, 2018.

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19 J. Richard Creatura
20 United States Magistrate Judge
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